

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON NOVEMBER 19, 2008 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Mayor and Council Members Present: Mayor C. Byron Anderson; Council Members Brent Marshall, Tom Tripp, Todd Castagno, Mike Johnson and Paul Rupp.

Appointed Officers and Employees Present: Attorney Ron Elton, Building Official Mike Haycock and City Recorder Rachel Wright.

Citizens and Guests Present: Mark Watson, Annie Watson, Thomas Travis, Deann Christiansen, Dick Johnson, Karen Johnson, and Roger Hale.

Mayor Anderson officially called the meeting to order at 7:00 p.m.

PUBLIC HEARINGS:

- a. Proposed amendment to Chapter 14 Use Table to delete the setback requirements for pastures and to provide new setback requirements for accessory buildings for Rural Residential Districts to protect these uses from new dwellings on adjoining parcels.**

Mayor Anderson opened the public hearing at 7:00 p.m. to receive comments on the proposed amendment to the Chapter 14 Use Table. No comments were offered and the Mayor closed the public hearing at 7:01 p.m.

- b. Proposed amendment to Chapter 15 Use Table and Section 7.17(2) to delete the setback requirements for animals and family food production from new dwellings on adjoining parcels in the R-1-12, R-1-21 and the RM-7 zoning districts.**

Mayor Anderson opened the public hearing at 7:01 p.m. to receive comments on the proposed amendment to Chapter 15 Use Table and Section 7.17(2). No comments were offered and the Mayor closed the public hearing at 7:02 p.m.

- c. Proposed amendment to the Home Occupation regulations (Section 8.1) to limit vehicles, heavy equipment and trailers from being stored or parked at the site of a home occupation.**

Mayor Anderson opened the public hearing at 7:02 p.m. to receive comments on the proposed amendment Section 8.1.

Bob Miller spoke in opposition to the proposed amendment. He stated the amendment is too broad and restrictive on business owners. Attorney Elton stated the amendment only effects home occupations and doesn't regulate vehicles that persons use to commute to their jobs. Mr. Miller stated that if there are people violating their conditional use permits that others should not be punished because of them. He stated he feels the amendment is just too limiting and that if there are issues regarding a home occupation they should be dealt with on a case by case bases.

Mayor Anderson asked for any further comments and none were offered. The Mayor closed the public hearing at 7:09 p.m.

- d. Proposed amendments to Chapter 20 Sign Ordinance to authorize regulated signs to be approved by the zoning administrator.**

Mayor Anderson opened the public hearing at 7:09 p.m. to receive comments on the proposed amendment to Chapter 20. No comments were offered and the Mayor closed the public hearing at 7:10 p.m.

AGENDA:

1. Summary Action Items

- a.** Approval of Minutes of the November 5, 2008 City Council Meeting.
- b.** Approval of Business License for Dust Eliminators, Smokin' Bill's, and Wayman Bros Landscaping and Design Inc.
- c.** Approval of Bills dated November 19, 2008 in the sum of \$290,675.18.
- d.** Personnel Matters: salary step increases for Fred Howard to go from a Grade 11, Step 4 to a Grade 11, Step 5 and Wil Peters to go from a Grade 9, Step 1 to a Grade 9, Step 2.

Councilman Marshall stated that the minutes needed to be amended to reflect that he had voted against the minor subdivision for Lloyd Farr.

Motion: Councilman Tripp made a motion to approve the Summary Action Items with the exclusion of the bill for the FATPOT contract to be discussed later in the meeting and with Councilman Marshall's requested amendment to the minutes. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

2. Consideration of Ordinance No. 2008-40, an ordinance amending the zoning map by rezoning property located at 334 East Clark Street from an R-1-8 zone to an RM-15 zoning designation for the purpose of allowing a 24 unit multi-family apartment complex. (Watson and Tooele County Housing Authority application).

Councilman Marshall asked if the City had received clarification of the legal description of the property. Deann Christiansen, the executive director of the Tooele County Housing Authority stated she had reviewed this issue with the Tooele County Surveyor and the description was determined to be a little smaller than they had thought due to neighbor encroachments. Attorney Elton stated the entry way to the apartment complex was not included in the rezone application, and that this area would remain zoned R-1-8. Councilman Marshall asked if there was enough acreage with the complications in the survey to do the whole project. Deann stated that the acreage would only allow 23 and ½ units but that the Planning Commission determined that the project would be in substantial compliance with the regulations. Councilman Rupp asked which group of people the project would be targeting for occupancy. Deann stated that the complex was designed for families, with one unit dedicated for victims of domestic abuse. She stated the project will be for moderate income families and there will be no subsidies for rent. Councilman Marshall stated that at a planning commission meeting he attended there was concern about the parking. Deann stated there is more parking than is required by City regulations. Councilman Marshall asked if neighborhood children would be allowed to play on the playground being provided. Deann stated that it would be fine for the neighborhood children to use the playground. Deann stated they did not have funds to complete the curb and gutter or improve the road along Clark Street as suggested by the planning commission. Deann indicated that they would like to address these issues when the Housing Authority develops the two lots fronting Clark Street. Councilman Castagno asked if they were planning to fence the back of the project. Deann stated they planned on fencing the apartment project. Councilman Johnson asked if the curb and gutter in the apartment project was budgeted for. Deann stated it was as well as landscaping and trees. Councilman Rupp stated the other Housing Authority project in Grantsville is well kept and he has not heard of any complaints. Mayor Anderson stated he asked the police department about the existing apartment complex of the Housing Authority in Grantsville and he was advised that they have received only minor complaints, usually involving noise.

Motion: Councilman Tripp made a motion to approve Ordinance No 2008-40, amending the zoning map by rezoning property located at 334 East Clark Street from an R-1-8 zone to an RM-15 for the Watson Family and the Tooele County Housing Authority. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

3. Consideration of a four lot minor subdivision at approximately at 334 E. Clark Street. (Watson and Tooele County Housing Authority application).

Motion: Councilman Johnson made a motion to approve the four lot minor subdivision for the Watson family and the Tooele County Housing Authority. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

4. Consideration of a conditional use permit for a 24 unit multi-housing complex at approximately 334 East Clark Street. (Tooele County Housing Authority application).

Councilman Castagno asked if the fencing was to go north to Clark Street. Deann responded that it would on the west side but would only surround the project. She stated they may continue the fence to Clark Street on the east side when they develop Lot 3. Councilman Castagno stated that in his opinion the Housing Authority should continue their fence south to completely fence the back of Lot 41 which partially adjoins the project.

Motion: Councilman Rupp made a motion to approve the conditional use permit for the Tooele County Housing Authority, with a requirement that the fence be extended south to completely fence the back of Lot 41. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

5. Consideration of Ordinance No. 2008-41, an ordinance amending the General Plan to designate property located at approximately 570 East Durfee Street from a “Low Density Residential” designation to a “Medium Density Residential” designation. (Dick Johnson and Roger Hale application).

Councilman Johnson asked when the property is developed that it will have a private road or a City Street. Dick Johnson stated it would probably be a private road, but that the development had not yet been considered. He stated that Noland Hancock had surveyed the property and stated that they could stub in a road if need be. Councilman Castagno stated that the planning commission raised a concern that the General Plan currently allows ½ acre parcels and ¼ acre parcels but there currently is no zoning designation for 1/3 acre lots, which would be allowed by the requested general plan amendment. Mr. Johnson stated that ½ acre lots would not work for Roger Hale because he would like to divide his property into 3 lots for his children and they would need to be 1/3 acre each.

Motion: Councilman Castagno made a motion to approve Ordinance No. 2008-41 amending the General Plan to designate property located at approximately 570 East Durfee Street from a “Low Density Residential” designation to a “Medium Density Residential” designation. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

6. Approval of specifications for new furnaces, duct work, and thermostats for City Hall.

Building Official Mike Haycock stated the current furnace system in the City Hall building is inadequate and is requiring continuous maintenance and repairs. He stated that currently to maintain the temperature at a comfortable level in the City Hall office, staff has to turn on the air conditioning or open the back door to keep the temperature below 78 degrees. He stated that since July 2008 the City has had over \$2,000.00 in maintenance expenses. He stated he has come up with three options to fix the issues with the furnace system. He stated that option one is to fix the control panel and replace the thermostats. He stated this will make all of the furnaces operate and better control the air flow. He stated option two is to divide the duct work. He stated that two of the three furnaces are connected to a one duct system. He stated this could be done with option one for greater cost efficiencies. He stated that option two would better control the amount of air that goes to each area. He stated that option three is to change out the furnaces that effect the Court Room and Court Offices. He stated that the current furnace is a residential grade double furnace. He stated that changing the double furnace would increase efficiency. He stated there would be an estimated cost savings of 10-20 percent.

Mayor Anderson stated the air is not circulating and is causing headaches in the offices. Building Official Haycock stated that there are five total furnaces at City Hall. He stated that maintenance items are coming up and will continue to come up as the age of the furnaces increase. He stated that it would be better to spread out the costs over time, instead of having everything come due at the same time. He stated the double furnace is the most inefficient. He stated that it is blowing more air then is needed for the two court areas. He stated to do all three options would be around \$17,000.00.

Councilman Tripp stated he feels the City should pursue option one and two and hold off on option three until the City finances are not so tight. Councilman Johnson stated he would like to find the cost of option two.

Motion: Councilman Tripp made a motion to approve option one (to fix the control panel and replace the thermostats) and direct the Building Official to obtain a bid estimates for option two. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

7. Acquisition of FATPOT software license and maintenance agreement for Police Department (Mobile Records and Management and Mapping System).

Attorney Elton stated that Tooele County has obtained the FATPOT communication and records software and has requested the Grantsville Police Department obtain the same to maintain interoperability. He stated that Tooele County has offered to pay for the system through a federal grant, but the City would be responsible for the costs to maintain the software. Attorney Elton stated the biggest concern is the increased maintenance costs of the new system. He stated the maintenance costs of the current system is approximately \$7,500.00 per year versus \$13,575.00 for the new FATPOT system. Attorney Elton stated Police Chief Danny Johnson believes the system is a good and reliable system, but that he is also concerned with the additional maintenance costs. Mayor Anderson stated the FATPOT system is a more efficient system than the police department is currently using. Councilman Tripp asked if there were any competing companies to look at with lower maintenance costs. Attorney Elton stated there are, but they

would not provide interoperability requested by Tooele County and FEMA. Councilman Tripp stated he is unenthused about the program.

Motion: Councilman Castagno made a motion to approve the FATPOT software license and maintenance agreement with the final language to be approved by the Police Chief, City Attorney and Mayor pursuant to City requested revisions and to approve the payment of the initial bill to install the FATPOT program. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

8. Consideration of awarding bid to acquire mini-pumper for Fire Department.

Attorney Elton stated there are a few concerns with the low bidder. He stated the council could reject all of the bids and ask for new bids. He stated that all of the bids were higher than what was budgeted for. Councilman Marshall stated the company that they originally had received a bid for never submitted a formal bid. Attorney Elton stated that if the Council awarded a bid, the Fire Department would need to make up the difference by making other cuts from their budget. Councilman Marshall stated the Fire Department had reviewed the bid specifications and that the low bid had all of the needed equipment. Mayor Anderson stated he is still concerned with the City's cash flow. Councilman Marshall stated it would take several months before the payment would be made. Chief Broadbent recommended that the City approve the low bid with the options indicated in the amount of \$83,950.00 and that the Fire Department would commit to reduce its budget to make up the difference, between the amount that was budgeted for this vehicle and the purchase price.

Motion: Councilman Marshall made a motion to approve the bid of Freedom Fire for a total of \$83,950.00 to purchase the new rescue mini-pumper and that the fire department reduce its overall expenditures to obtain this vehicle and comply with its current budget. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

9. Authorization to invite water share owners to sell water rights and water shares to the City using Impact Fees.

Attorney Elton stated there is approximately \$500,000.00 in water impact fees. He stated the City's Independent Water Rights Attorney suggested using the funds to purchase water rights and shares at the current time and to use their public notice soliciting offers.

Motion: Councilman Tripp made a motion to advertise the City's interest in purchasing water rights and shares and that they be submitted to the City prior to the end of the year. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

10. Consideration of Ordinance No. 2008-42, an ordinance redesignating and renumbering the City's current Constitutional Takings and Review Procedures to incorporate these provisions into the revised Grantsville City Code.

Attorney Elton stated the proposed ordinance is just renumbering the current provisions to include them in the new Grantsville City Code book. He stated that the ordinance did not include any substantive modifications.

11. Motion: Councilman Marshall made a motion to approve Ordinance No. 2008-42 redesignating and renumbering the City's current Constitutional Takings and Review Procedures to incorporate these provisions into the revised Grantsville City Code. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

12. Council Information Updates.

Mayor Anderson stated the Housing Authority has requested that the City consider waiving its fees for the Clark Cove Cottage apartment complex. Building Official Haycock stated he estimated the cost of the building permits and fees, based upon a 2 inch water service meter. He stated he will need a set of plans with more information to accurately figure the costs of the City's permits and fees.

Mayor Anderson stated that persons representing project Cannonball and the local property owner, had a meeting with City staff. He stated there are four competitors. He stated the representatives for project Cannonball liked the I-80 access. He stated the biggest obstacle is obtaining enough power. He stated that the company could create up to 1200 jobs. He stated that Grantsville City is still competing for this project. Councilman Johnson stated the project would

require a great deal of water which the property owner would be able to supply. Mayor Anderson stated across the State the economy is still good, many businesses are looking to locate to Utah.

Councilman Marshall stated the Santa Parade is being organized and that the plans are coming along. He stated a Lighting Ceremony will be held at the Fire Station on November 29th. He stated there will be a radio station with music synchronized with the lights. He stated they are going to cut down the old tree and the City will need to budget for a replacement tree in the next budget. He stated he will need some additional help to prepare the main dish for the City Christmas Party. He stated the City purchased two turkeys from the Tooele County Turkey Show. He stated they will be donating one turkey to the Senior Citizen's Center and the other will be cooked for the City Christmas Party.

Councilman Tripp stated he attended the Mosquito Abatement District meeting. He stated the District wants to raise taxes and he is not enthused about that proposal. He also stated his concern with the laying off of the employees at the Chemical Lime Company and the significant effect that it will have with those employees.

Councilman Castagno stated the Santa Parade will be the Saturday after Thanksgiving. He also inquired about the proposed annexation of the Miller Sports Park. Mayor Anderson stated the City needs to get the mid valley sewer proposal resolved before pursuing any annexation.

13. Adjourn

Motion: Councilman Marshall made a motion to adjourn. Councilman Johnson seconded the motion, all voted in favor and the motion carried. The meeting officially adjourned at 8:10 p.m.

Rachel Wright
City Recorder

C. Byron Anderson
Mayor